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New York

President:	Mr. Danforth	(United States of America)
Members:	Algeria	Mr. Benmehidi
	Angola	Mr. Gaspar Martins
	Benin	Mr. Zinsou
	Brazil	Mr. Moritán
	Chile	Mr. Donoso
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Trautwein
	Pakistan	Mr. Khalid
	Philippines	Mr. Cato
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson

Agenda

The situation in Bosnia and Herzegovina

Letter dated 8 October 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/807)

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The meeting resumed at 3.45 p.m.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Jaap de Hoop Scheffer, Secretary General of the North Atlantic Treaty Organization (NATO).

There being no objection, it is so decided.

I invite the Secretary General of NATO to take a seat at the Council table.

At this resumed session, the Security Council will hear a briefing by the Secretary General of NATO, His Excellency Mr. Jaap de Hoop Scheffer. I shall now give the floor to the Secretary General of NATO.

Mr. De Hoop Scheffer: It is a real pleasure for me to be in New York and an honour to have been invited to address the Security Council this afternoon. My remarks will focus on the support of NATO to the United Nations in Bosnia and Herzegovina, but I should like to start with a couple of observations about our respective organizations.

As an alliance of 26 democracies, NATO allies are bound together by common values, as well as a commitment to common defence. In the past decade, NATO nations have expan ed the geographic scope of alliance operations and activities and have transformed their nature, all without forgetting our core task, of course, of collective defence.

Each operation requires a political decision by allied nations to commit their young men and women to a potentially hazardous mission. Such a grave step is never taken without extensive consultation among allies. In response to the series of new strategic challenges, the alliance has decided to go out of area to build stability in a number of regions that have an impact on the security of the Euro-Atlantic area.

The United Nations has also faced a multiplication of its activities and tasks in this fluid strategic environment. It is therefore not surprising that NATO and the United Nations, each within their specific roles, have found increasing scope for cooperation, especially in peace operations.

That brings me back to Bosnia and Herzegovina, because, in a real sense, the alliance's transformation began in the Balkans. The Bosnia mission was undertaken in close cooperation with, and under a mandate from, the United Nations. The decision to go out of area in the Balkans was a historic decision for the alliance. It was NATO's first peacekeeping operation. But just as important, it represented the birth of United Nations-NATO cooperation.

Since 1992, NATO has provided continuous support to the United Nations in the Balkans. In 1995, some 65,000 troops were deployed to Bosnia and Herzegovina, under a United Nations mandate, to implement the military aspects of the Dayton Peace Agreement. United Nations and NATO cooperation has resulted in a safe and secure environment. State institutions have been established, human rights are now respected, and the country has been set on the path to integration into Euro-Atlantic and European structures.

Today only 7,000 troops remain in the country — a clear indication of the considerable progress that has been made, progress which is also to a very large extent due to the relentless efforts and very hard work of the successive High Representatives for Bosnia and Herzegovina, from Carl Bildt to Lord Ashdown.

Given our joint successes in Bosnia and Herzegovina, it is not surprising that NATO support to the United Nations there has been viewed as a template to be applied to other demanding crises. That involves close cooperation with other major international players, including the European Union and the Organization for Security and Cooperation in Europe.

In a cooperative international effort, NATO contributed to successfully defusing the crisis in the former Yugoslav Republic of Macedonia, paving the way for a lasting political settlement, in the framework of the Ohrid Framework Agreement. And since 1999, under a United Nations mandate, NATO has been involved in stabilizing the situation in Kosovo. Last month, NATO-led troops provided security for the Parliamentary Assembly elections there. The good cooperation between the Kosovo Force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) on the ground continues to be crucial for the stability of the province. That was also underlined by the Special Representative of the United Nations Secretary-General for Kosovo, Søren Jessen-

Petersen, when he addressed the North Atlantic Council of NATO yesterday.

While there has been real progress, work remains to be done, and the closely coordinated international effort must continue across the wider region. But, given the improved state of security in Bosnia and Herzegovina, it is the right time to terminate the Stabilization Force mission. As the Council heard from Lord Ashdown this morning, NATO is now working to hand over peacekeeping responsibilities to the European Union next month. I therefore look forward to a Security Council resolution authorizing that handover of responsibility. But that does not mean that NATO's long-term commitment to the country has changed.

NATO will retain a military presence in the country and has already established a new headquarters in Sarajevo, which will provide advice on defence reform and will remain engaged in bringing indicted war criminals to justice. Cooperation with the ICTY is a key conditionality for further progress in relations between NATO and Bosnia and Herzegovina. I would like to underscore the words spoken this morning by Lord Ashdown on the position of Republika Srpska in that respect. Cooperation with the ICTY is crucial for any further development of the relations with NATO, starting with membership of the Partnership for Peace programme.

With the imminent termination of the Stabilization Force mission, it is timely to review all that has been achieved there. I would draw attention to some of the lessons that I believe to be key.

The first is to anticipate spillover. As we have seen in the Balkans, when States fail they tend to threaten security and stability not just in their own region, but well beyond. That does not mean that NATO must intervene in each and every instance. But we should always be aware that indifference might be more costly, over time, than timely engagement.

Secondly, success in Bosnia and Herzegovina is a clear demonstration of international institutions complementing each other and reinforcing each other's efforts. A holistic approach calling on the relative strengths of the different international organizations is vital. And it is also valuable to involve as many individual States as practicable. NATO benefited greatly from the operational participation of many non-NATO nations.

Finally, I would highlight the need for political dialogue to articulate a clear end-state, and the need for determination to see the mission through until that end-state is achieved. Those are essential elements for reasons of political legitimacy, for sustaining public support over the long term, and for political credibility.

Together with a robust military capability, those were the main ingredients of NATO's success in Bosnia and Herzegovina. But I believe they will also be the key for NATO to deliver success in other operations.

NATO is now playing a major role, under a Security Council mandate, in Afghanistan. It leads the almost 10,000 strong International Security Assistance Force and is progressively expanding its presence throughout the country. Last month, it assisted the United Nations by supporting Afghan Government efforts to provide a secure environment for the presidential elections, as well as by directly supporting the electoral process. Also in Afghanistan, NATO will continue to deliver on its commitments.

In Iraq, under the terms of Security Council resolution 1546 (2004), and at the specific request of the Interim Government of Iraq, NATO is providing assistance in training and equipping the Iraqi security forces. We are in the process of substantially enhancing that assistance.

I am aware that the alliance's involvement in those two countries has prompted some people to suggest that NATO is taking on the role of global policeman. I can assure the Council that nothing could be further from the truth. But the alliance's security interests are affected by events in those countries, and it is therefore logical for NATO to assist the efforts of the United Nations and of the international community there.

As I mentioned earlier, every international institution has something to offer, and its particular skills must be used to best effect. As far as NATO support is concerned, there are a number of benefits that I would wish to highlight.

First and foremost, I would emphasize NATO's utility as a framework for political dialogue and action. It is an alliance of 26 sovereign and democratic nations, and it binds together Europe and North America in a multilateral approach to security. But

NATO is also a framework which facilitates participation by other nations.

During the NATO-led operations in Bosnia and Herzegovina, the contributions from NATO's partners were indispensable, as were the contributions from other nations. Overall, troops from all five continents, from more than 20 non-NATO nations, served effectively under NATO command and alongside NATO troops. That framework for action is tried and tested, and it has accumulated a wealth of experience.

NATO also has a unique capacity to back up its political decisions with serious peacekeeping and peacemaking power. That power is flexible and is easily tailored to the various demands placed upon it. It encompasses training and advice to troops likely to be called upon to carry out peacekeeping duties, through activities such as participation in NATO-led exercises; advice on interoperability issues; and the sharing of doctrine and documentation.

It also includes operational planning, with the associated force generation, strategic movement and logistics support. Of course, it also includes substantial military assets — land, air and maritime — that are in short supply elsewhere. These assets include the necessary mix of capabilities for both combat and post-conflict reconstruction, as well as the appropriate deployable command elements to ensure maximum operational effectiveness. They now also include high-readiness units such as the NATO Response Force.

Finally, I would stress NATO's proven determination to stay the course. Our 12-year commitment to support in Bosnia and Herzegovina is testimony to our resolve and ability to sustain our operations over lengthy periods if and when necessary. Bosnia and Herzegovina is the most successful proof of the effectiveness and potential of the United Nations and NATO working together for peace and stability. We have developed an effective operational relationship between our two organizations there, and we have adopted the model of our cooperation to other operations.

NATO nations are deeply committed to the United Nations. In the Treaty of Washington, which founded NATO, Allies reaffirm their faith in the purposes and principles of the Charter of the United Nations, and they acknowledge the primary responsibility of the Security Council for the maintenance of international peace and security.

In the field, NATO has broadened its scope for support to the United Nations since our original peacekeeping mission in Bosnia and Herzegovina. Our support now includes missions in other theatres and active cooperation on common challenges such as the fight against terrorism. The Alliance has already made a significant contribution to United Nations operations. NATO nations are always prepared to consider further requests for support, and I fully expect and trust that this cooperation will continue.

The President: I thank the Secretary General of NATO for his statement.

Lord Ashdown is expected momentarily; he has been meeting with Secretary-General Annan. I had planned at this point to call on him for additional comments or responses. In his absence, I might ask the Secretary General, while we have the time, to comment on the status of Bosnian defence reform. My understanding is that this will be an ongoing responsibility of NATO. I was wondering how he saw things as going at this point, and, if he could look into his crystal ball, how he sees the future.

Mr. De Hoop Scheffer: NATO will keep what we call a residual presence in Bosnia and Herzegovina. NATO will have a headquarters in Sarajevo to do what you just indicated, Mr. President — that is, working together on a continuous basis with the authorities of Bosnia and Herzegovina on defence reform. I think I can say that a lot of progress has been made on defence reform. On the other hand, much remains to be done, and NATO, I think — and that is also very much the view of Bosnia and Herzegovina — is in a unique position, given its experience, to continue to consult with the Government of Bosnia and Herzegovina and to give good advice on the process of defence restructuring and defence reform.

Apart from that responsibility, NATO will, of course, given the importance of this subject, be involved in seeing to it that the indicted war criminals go to The Hague as soon as possible. We will do this, of course, in close consultation with the European Union, which is taking over the responsibility for the operation in Bosnia and Herzegovina.

The President: I wish to thank Lord Ashdown for having returned to the Council. I know he has had a very important meeting just now, and I was wondering if he had any further comments or responses to any questions that have been raised.

Lord Ashdown: My apologies to the Council for not having been here earlier. I had an appointment with the Secretary-General. I apologize to my colleague Jaap de Hoop Scheffer for not having been here when he spoke. I think I owe the Council some comments and responses to questions from earlier on this morning.

May I first of all express my warm thanks and those of my staff for the very kind comments made by representatives this morning. They are really are very, very welcome indeed, and I am very grateful for those kind words. However, I think that the representative of Angola, if I may say so, was entirely correct: the real heroes of this remarkable transformation are not the international community, although I think we have done much of which we can be proud; we have made our mistakes, too, but overall I think that we are entitled to feel proud of the peacekeeping operation. The real heroes are the extraordinary, remarkable and courageous people of Bosnia and Herzegovina, and, if anyone should be receiving these accolades, it seems to me that it is they.

Before answering the questions that were put to me, could I just warmly welcome a number of particular interventions. The representative of Romania gave the kind of promise that everyone likes to hear — that they were considering increasing the number of troops they may be able to provide in the European Union-led force (EUFOR). That is a generous offer for which I know my EUFOR colleagues will be extremely grateful.

If I may say so, I greatly welcomed also the comments of the representative of Spain, who noted the special importance of the feasibility study and the NATO Partnership for Peace agreements. Those are, indeed, the magnets which draw the compass by which we steer. I believe that, in due course, the scaffolding of Europe and NATO will provide the structures within which Bosnia and Herzegovina will make the second stage of its journey — a journey which is not about peace implementation but about transition.

I also strongly welcome, if I may, the comments that were made by almost all representatives on the importance of the International Criminal Tribunal for the Former Yugoslavia and Republika Srpska cooperating and crossing that watershed. For what it is worth, I think that there are forces in Republika Srpska that wish to see that done, and I welcome that. The United States was, if I may say so, correct — you, Sir, were correct — in reminding us that this was about a fundamental principle of Dayton, and the infringement of Dayton is arguably the greatest failure as a result of this.

My colleague the representative of France, who is sitting next to me, was correct in saying that, after so many words, only concrete results would do. The representative of Germany made a very strong point on this matter. I think that what he hinted at is correct — that when you look at deficiencies in terms of cooperation with The Hague, these are about personalities who have failed to fulfil their individual duties. They are also about systemic failures, and that is one of the reasons why the reform of the police and defence structures which is taking place is so important.

The representative of the Netherlands wished me luck as European Union Special Representative. My job is to try to coordinate the European Union's assets. I am not their boss, but I am primus inter pares, and I have to try to coordinate those assets. I am grateful to him for kindly wishing me luck; I shall need it. It adds a different dimension to my job, but one which I welcome and which I think is important as Europe takes the lead in this process, although it is not the monopoly deliverer of the international community's assistance in peace implementation matters.

May I especially thank the representative of Japan. Japan's support for the peace implementation process, even though it is probably the country, along with Canada, that directly benefits least from this, being on the other side of the world, has been remarkable. In particular, the support that was offered to the war crimes chamber by the representative of Japan is extremely welcome.

The formation of the war crimes chamber, a very important moment, is on track and on time. But there is not enough money to be able to ensure that the chamber can be sustained beyond the middle or the third quarter of next year. We do need that kind of practical assistance to make the war crimes chamber actually work. It would be a disaster, I am sure you would all agree, if we set up the war crimes chamber and it starts to try war crimes domestically, relieving the pressure on The Hague, and then it falls flat on its face because there are not sufficient funds keep it

going. Lastly, that is not an imminent prospect; it is one for the longer-term future.

Japan's assistance in tourism, which we have begun to build in Bosnia and Herzegovina, is also extremely important.

It seemed to me that I was asked to respond to three key questions. The representative of the Russian Federation asked me, I think, for assurance that we were not in the business of attributing all the problems of Bosnia and Herzegovina to the Serbs. I can enthusiastically give that assurance. I actually believe that, arguably, the Serb people and the Republika Srpska have made a greater and more difficult contribution to the whole reform process than any of the other peoples in Bosnia and Herzegovina and I have always sought to go out of my way to recognize that. It was more difficult for the Republika Srpska to agree to the reforms on defence and to the reforms for the Indirect Taxation Authority than for any of the other peoples. If we now stand at the gates of success, it is in very large measure because of the statesmanship and courage shown on a wide level in the Republika Srpska.

But, as I am sure the Russian representative will understand, the fact nevertheless remains that the one barrier that now stands between us and opening those gates to success is the barrier of the International Tribunal for the Former Yugoslavia. In that regard, it is a tragedy to me that the Serbs, having contributed so much to delivering the country to the point it is at now, are the people responsible for the barrier that now remains between us and success. I can give my absolute assurance that we will follow, as we were rightly requested to do, a balanced approach to the matter.

It is simply not true to say that the Serbs or Republika Srpska are the only barriers to reform. We have had cause to overcome barriers to reform put up by the other people in Bosnia and Herzegovina, which were equally large. But, the one immediately in front of us, The Hague, is obviously an issue for the Republika Srpska more than for any of the others.

The Russian representative also asked me to ensure that the Constitutional Court amendments to which he referred were enacted. I agree with him that that is a piece of unfinished work that has to be addressed. Could I make the point to him, however, that, when it comes to enacting those amendments, the roles of the institutions of Bosnia and Herzegovina, above all the Human Rights Chamber, ought not to be overlooked. If the High Representative does everything, rather than the institutions of Bosnia and Herzegovina that are there to resolve those issues, then we will be in effect undermining Bosnia and Herzegovina's institutions. If people — and in this case it is the Serbs again — should argue that their rights under the Constitutional Court amendments have not been adequately delivered, I would encourage them to go, at least initially, to the Human Rights Chamber, to the Constitutional Court in particular, to ensure that those rights are delivered. I will certainly back up and support that process. But if I were to act in place of the courts, I would be undermining the courts.

France asked me whether or not I believed that the rule of law and the economy ought to go hand in hand or operate sequentially. The answer is they must go hand in hand. The rule of law is essential for economic growth. Once the rules have been established, not least the business rules and business courts, only then will the economy begin to grow. It seems to me that economic reform and justice reform are essentially part of the same reform package: each feeds off the other and each is necessary. Therefore, those two threads, which have been almost the central threads that we have followed, need to be followed not sequentially, but in parallel.

Finally, the representative of the United Kingdom made a point, which I think is important, about the Bonn powers and the existence of the High Representative. Mladen Ivanić, whom you heard from earlier on, has his views. They are his personal views and he put them forward in a very straightforward manner, as usual; they are not, I think it would be fair to say, necessarily the views of his Government. They are his views, and I have my views, and perhaps they are not as far apart as you might imagine in terms of the existence of the High Representative and the Bonn powers. But those are not matters for me, they are matters for the Peace Implementation Council, as the representative of the United Kingdom rightly said. Whatever steps we take in the future to ensure that we alter the nature of the international engagement, either in respect of the future of the High Representative and my Office or the future of the Bonn powers, has to be decided by the international community in the first place, although of course the views of our colleague from Bosnia and Herzegovina are very important.

Secondly, as the representative of the United Kingdom very correctly said, they have to be measured against progress on the ground. The representative of the United Kingdom made the point that it is progress on the ground that enables us to move to the next stage — as we must in due course — of handing over full sovereignty to the Bosnian and Herzegovinian people.

Mr. Chairman, I am grateful for the chance to answer those questions.

The President: On behalf of the members of the Council, I would simply like to take this opportunity to thank Lord Ashdown and also Secretary General de Hoop Scheffer for taking the time to brief the Council today.

The meeting rose at 4.20 p.m.